

USAO 2018R00653/JWR

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

FILED

JAN 03 2020

AT 2:00 P.M. SB  
WILLIAM T. WALSH  
CLERK

UNITED STATES OF AMERICA : Criminal No. 19-658 (KM)  
:  
v. : 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)  
:  
: 18 U.S.C. §§ 922(g)(1), and 924(c)(1)(B)(i)  
:  
DARRYL DANCY : 26 U.S.C. §§ 5861(i) and 5871

SUPERSEDING INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at Newark,  
charges:

COUNT ONE  
(Possession With Intent to Distribute  
100 Grams or More of Heroin)

On or about June 19, 2018, in Essex County, in the District of New  
Jersey, and elsewhere, the defendant,

DARRYL DANCY,

did knowingly and intentionally possess with intent to distribute 100 grams or  
more of a mixture and substance containing a detectable amount of heroin, a  
Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and  
841(b)(1)(B).

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AT 8:30 M  
WILLIAM T. WALSH, CLERK

COUNT TWO  
(Possession of a Short-Barreled Shotgun in  
Furtherance of a Drug Trafficking Crime)

On or about June 19, 2018, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

DARRYL DANCY,

in furtherance of a drug trafficking crime for which defendant may be prosecuted in a court of the United States, namely possession with intent to distribute heroin as set forth in Count One, did knowingly possess a short-barreled shotgun, namely a 12-gauge Maverick by Mossberg Model 88 shotgun, bearing serial number MV69340K, with a barrel length of less than 18 inches.

In violation of 18 U.S.C. Section 924(c)(1)(B)(i).

COUNT THREE  
(Possession of Short-Barreled Rifles in  
Furtherance of a Drug Trafficking Crime)

On or about June 19, 2018, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

DARRYL DANCY,

in furtherance of a drug trafficking crime for which defendant may be prosecuted in a court of the United States, namely possession with intent to distribute heroin as set forth in Count One, did knowingly possess short-barreled rifles, namely two .223 caliber semiautomatic rifles with unknown manufacturers, both with a barrel length of less than 16 inches.

In violation of 18 U.S.C. Section 924(c)(1)(B)(i).

COUNT FOUR  
(Possession of Firearms Without Serial Numbers)

On or about June 19, 2018, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

DARRYL DANCY,

did knowingly receive and possess firearms, namely two .223 caliber semiautomatic rifles with unknown manufacturers, both with a barrel length of less than 16 inches, and both bearing no serial number as required by Chapter 53, Title 26, United States Code.

In violation of 26 U.S.C. Sections 5861(i) and 5871.

COUNT FIVE  
(Possession of Firearms  
by a Convicted Felon)

On or about June 19, 2018, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

DARRYL DANCY,

knowing he had previously been convicted in a court of at least one crime punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting interstate commerce firearms, namely: (a) a 12-gauge Mossberg Maverick Model 88 pump-action shotgun, bearing serial number MV69340K; (b) a .223 caliber Kel-Tec Model PLR-16 semiautomatic pistol, bearing serial number POC58; (c) a .45 caliber Smith & Wesson Model SW1911PD semiautomatic handgun, bearing serial number JRJ2091, which was loaded with eight rounds of .45 caliber ammunition; (d) a .40 caliber Smith & Wesson Model SW40VE semiautomatic handgun, bearing a defaced serial number, which was loaded with thirteen rounds of .40 caliber ammunition; (e) a .38 caliber Smith & Wesson Model 638-3 revolver, bearing serial number CMY7698; (f) a .22 caliber Iver Johnson Model Supershot Sealed Eight revolver, bearing serial number L35080, which was loaded with eight rounds of .22 caliber ammunition; (g) a 9-millimeter Pietro Beretta Model 92FS semiautomatic handgun, bearing serial number J25615Z, which was loaded with fifteen rounds of 9-millimeter ammunition; and (h) a .40 caliber Kel-Tec Model SUB2000 semiautomatic rifle, bearing serial number E2156, which was

loaded with fifteen rounds of .40 caliber ammunition;

In violation of Title 18, United States Code, Section 922(g)(1).

FIRST FORFEITURE ALLEGATION

1. The allegations contained in Counts Two through Five of this Superseding Indictment are incorporated by reference as though set forth in full herein for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offenses in violation of Title 18, United States Code, Sections 922(g)(1) and 924(c)(1)(B)(i); and Title 26, United States Code, Sections 5861(i) and 5871 set forth in Counts Two through Five of this Superseding Indictment, the defendant,

DARRYL DANCY,

shall forfeit to the United States any firearms involved in or used in the commission of those offenses, including: (a) a 12-gauge Mossberg Maverick Model 88 pump-action shotgun, bearing serial number MV69340K; (b) two .223 caliber semiautomatic rifles with unknown manufacturer, both bearing no serial number; (c) a .223 caliber Kel-Tec Model PLR-16 semiautomatic pistol, bearing serial number POC58; (d) a .45 caliber Smith & Wesson Model SW1911PD semiautomatic handgun, bearing serial number JRJ2091, which was loaded with eight rounds of .45 caliber ammunition; (e) a .40 caliber Smith & Wesson Model SW40VE semiautomatic handgun, bearing a defaced serial number, which was loaded with thirteen rounds of .40 caliber ammunition; (f) a .38 caliber Smith & Wesson Model 638-3 revolver, bearing serial number CMY7698; (g) a .22 caliber Iver Johnson Model Supershot Sealed Eight

revolver, bearing serial number L35080, which was loaded with eight rounds of .22 caliber ammunition; (h) a 9-millimeter Pietro Beretta Model 92FS semiautomatic handgun, bearing serial number J25615Z, which was loaded with fifteen rounds of 9-millimeter ammunition; and (i) a .40 caliber Kel-Tec Model SUB2000 semiautomatic rifle, bearing serial number E2156, which was loaded with fifteen rounds of .40 caliber ammunition.

All pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).



SECOND FORFEITURE ALLEGATION

1. The allegations contained in Count One of this Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853.

2. Pursuant to Title 21, United States Code, Section 853, upon conviction of the offense in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B) set forth in Count One of this Superseding Indictment, the defendant,

DARRYL DANCY,

shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense, including approximately \$24,040 of United States currency that was seized on or about June 19, 2018.

3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute

property pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL

FOREPERSON

  
CRAIG CARPENITO  
United States Attorney

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CASE NUMBER: 19-658 (KM)

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United States District Court  
District of New Jersey

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**UNITED STATES OF AMERICA**

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**v.**

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**DARRYL DANCY**

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**SUPERSEDING INDICTMENT FOR**

21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)  
18 U.S.C. §§ 922(g)(1), 924(c)(1)(B)(i)  
26 U.S.C. §§ 5861(i) and 5871

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A True Bill,

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recap:son

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CRAIG CARPENITO  
U.S. ATTORNEY  
NEWARK, NEW JERSEY

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JONATHAN W. ROMANKOW  
ASSISTANT U.S. ATTORNEY  
973-645-2884

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(Ed. 1/97)

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